



PUBLIC NOTICE

APPLICATION FOR PERMIT

U.S. Army
Corps of Engineers
Chicago District

Public Notice/Application Number: LRC-2007-688
Comment Period Begins: December 11, 2008
Comment Period Expires: January 10, 2009

JOINT PUBLIC NOTICE

U.S. Army Corps of Engineers
Illinois Environmental Protection Agency

Applicant: CenterPoint Properties
1808 Swift Drive
Oak Brook, IL 60523-1501

Proposed Action: CenterPoint Intermodal Center North Phase One - The proposed development of an intermodal facility comprised of rail yard, lead track, tail track, and associated roadway improvements over an area of approximately 935 acres. (See Exhibit) A detailed description of this proposal is provided on page 2 of this notice.

Location of Proposed Action: In Cedar Creek watershed located east of the Des Plaines River, south of Interstate 80, west of Illinois Route 53 along the Union Pacific Railroad, and north of Manhattan Road in Joliet (Secs 28-33, T35N R10E), Jackson (Secs 4-8,17 T34N R10E), and Channahon (Secs 1,12 T34N R9E) townships in Will County, Illinois

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and as shown on the attached drawings. You are invited to provide your comments by January 10, 2009 on the proposed work, which will become part of the record and will be considered in the decision. A permit will be issued or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Written comments should be mailed to:

U.S. Army Corps of Engineers
Chicago District, Regulatory Branch
Attn: LRC-2007-688 Mr. Ron Abrant
111 North Canal Street, 6th floor
Chicago, Illinois 60606-7206

Project Description:

The proposed project is Phase One of the development of an intermodal facility comprised of rail yard, lead track, tail track, and associated roadway improvements over an area of approximately 935 acres. The proposed

rail yard is located just south of the proposed Laraway Road relocation and continues south to Millsdale Road. It is generally bound on the west by Patterson Road and on the east by Brandon Road and the existing Union Pacific Railroad. The tail track connects the rail yard to the existing Union Pacific (UP) Railroad near Laraway Road. The lead track begins on the Burlington Northern Santa Fe (BNSF) Railroad southwest of the Millsdale Road and Noel Road intersection and continues northeast toward the Patterson Road and Millsdale Road intersection where it connects to the rail yard. The road improvements associated with this intermodal facility, include the widening and realignment of Millsdale Road from Patterson Road to Vetter Road as well as the extension of Baseline Road from Manhattan Road/Arsenal Road north to Millsdale Road. Patterson Road will be improved to a rural cross section from Laraway Road south to Millsdale Road. Naturalized detention basins totaling approximately 100 acres will be constructed to filter and detain runoff along with native landscaping that will be used within approximately 173 acres of additional onsite open space. A total of 17.16 acres (16.39ac direct, 0.77ac indirect) of impacts to jurisdictional wetlands and waters are proposed. Impacts include improvements within the Army Property located south of Noel Road (also known as JTA - Joliet Training Area), the lead track, tail track and roadway extensions. Impacts from the road and rail extensions for the proposed Intermodal Center cross both Cedar Creek and the Cedar Creek North Tributary resulting in an impact of 0.82 acres of waters of the U.S. These waters will be impacted by expansion of existing box culverts or installation of new roadway or railroad over buried culverts.

Wetland Impact Summary

| | Impact Acreage | Wetland Type |
|---|----------------|-----------------|
| CenterPoint Property Waters of the U.S. | 0.82 | Direct impact |
| CenterPoint Property USACE Wetlands | 5.68 | Direct impact |
| Army Property USACE Wetlands | 9.89 | Direct impact |
| | 0.77 | Indirect impact |
| Total | 17.16 | |

Proposed Mitigation Approach:

CenterPoint Properties recognizes at least two possible sources for the mitigation of these proposed impacts: 1. The Cedar Creek Wetland Mitigation Bank, 2. Wetland enhancement within portions of the US Army Property in Will County IL known as Joliet Training Area. CenterPoint Properties prefers to reserve both options as viable mitigation sources to satisfy the requirements of the requested 404 permit.

Mitigation for impacted waters of the U.S. and jurisdictional wetlands, including indirect impacts, will be at a ratio of 1.5:1. Mitigation for higher quality wetlands (those with FQI values of 20 or greater and/or a Native Mean C greater than 3.5) is proposed at 4:1.

As a summary of the wetland enhancement within portions of JTA, the applicant proposes 6.8 acres of enhanced stream corridors and wetland buffers, and approximately 175 acres of enhanced wetlands and enhanced uplands.

Mitigation: If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Regulatory Authority: This proposed action will be reviewed according to the provisions of Section 404 of the Clean Water Act.

Jurisdiction: This application will be reviewed according to the provisions of Section 404 of the Clean Water Act due to the proposal to discharge fill material into jurisdiction wetlands of the Des Plaines River.

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, if the proposed activity involves the discharge of dredged or fill material into waters of the United States, the evaluation of the impact on the public interest will include application of Section 404(b)(1) guidelines (40 CFR 230) promulgated by the U.S. Environmental Protection Agency. The Corps of Engineers is soliciting comments from the public, Federal, state and local agencies, Indian tribes, and other interested parties in order to consider and evaluate the potential impacts of the proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on the public interest factors listed above, as well as endangered species, historic properties, water quality, and general environmental effects. Comments will be used in the preparation of an Environmental Assessment and/or Environmental Impact Statement pursuant to the National Environmental Policy Act. A determination concerning the need for a public hearing will also be based on the comments received.

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the National Environmental Policy Act. A determination concerning the need for a public hearing will also be based on the comments received.

Preliminary Evaluation of Selected Factors

Water Quality - The applicant has applied to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity in accordance with Section 401 of the Clean Water Act. Certification or waiver indicates that IEPA believes the activity will not violate applicable water quality standards. The review by the IEPA is conducted in accordance with the Illinois water quality standards under 35 Illinois Administrative Code Subtitle C. The water quality standards provide for the IEPA to review individual projects by providing an antidegradation assessment, which includes an evaluation of alternatives to any proposed increase in pollutant loading that may result from this activity. The "Fact Sheet" containing the antidegradation assessment for this proposed project may be found on the IEPA's web site, at www.epa.state.il.us/public-notice/. In the event that the IEPA is unable to publish the "Fact Sheet" corresponding to the timeframe of this Joint Public Notice, a separate public notice and "Fact Sheet" will be published by the IEPA at the web site identified above. You may also obtain a copy of the "Fact Sheet" by contacting the IEPA at the address or telephone number shown below.

Written comments specifically concerning possible impacts to water quality should be addressed to:

Illinois Environmental Protection Agency
Bureau of Water
Watershed Management Section
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

A copy of the written comments should be provided to the Corps of Engineers. If you have any questions please contact IEPA at (217) 782-3362.

Endangered and Threatened Species - The Corps of Engineers continues informal consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act to determine if the proposed activity would affect any federally-listed endangered or threatened species or critical habitat for any endangered or threatened species, pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.).

Historic Properties/Cultural Resources - Preliminary review indicates that the proposed activity is not likely to adversely affect any historic property which is listed, or eligible for listing, on the National Register of Historic Places.

Environmental Impact Statement - A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Public Hearing - Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing. A request for a hearing may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

It should be noted that materials submitted as part of the permit application become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the Chicago District Corps of Engineers Office of Counsel.

Interested parties wishing to comment on the proposed activity must do so by in writing no later than January 10, 2009. It is presumed that all parties receiving this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

If you have any questions, please contact Ron Abrant of the Regulatory Branch by telephone at (312) 846-5536 or email at ron.j.abrant@usace.army.mil. **It should be noted that comments received via e-mail can only be accepted with the full name and address of the individual commenting.** You can also visit our website at www.lrc.usace.army.mil/co-r for more information on our program.

FOR THE DISTRICT COMMANDER:

//ORIGINAL SIGNED//

Keith L. Wozniak
Chief, West Section
Regulatory Branch

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continuously posted until January 10, 2009.

PHASE I - WETLAND IMPACT PLAN

| CEDAR CREEK IMPACT AREA | | | |
|-------------------------|------------------|-----------------|---------------|
| AREA | TYPE OF CROSSING | ACREAGE | WETLAND NAME |
| H | ROAD CROSSING | 0.06 - 0.10 AC. | 6-W |
| I | RAIL CROSSING | 0.20 AC. | 6-W |
| | | TOTAL | 0.26-0.30 AC. |

| CEDAR CREEK NORTH TRIBUTARY IMPACT AREA | | | |
|---|------------------|-----------------|---------------|
| AREA | TYPE OF CROSSING | ACREAGE | WETLAND NAME |
| B | RAIL CROSSING | 0.28 AC. | 1-W |
| E | RAIL CROSSING | 0.08 AC. | 1-W |
| F | ROAD CROSSING | 0.07 - 0.08 AC. | 1-W |
| G | RAIL CROSSING | 0.08 AC. | 1-W |
| | | TOTAL | 0.51-0.52 AC. |

| WETLAND IMPACT N. OF CEDAR CREEK N. TRIBUTARY | | | |
|---|------------------|----------|--------------|
| AREA | TYPE OF CROSSING | ACREAGE | WETLAND NAME |
| A | RAIL CROSSING | 2.21 AC. | 2-FW |
| C | RAIL CROSSING | 2.07 AC. | 2-FW |
| | | TOTAL | 4.28 AC. |

| WETLAND IMPACT E. OF CEDAR CREEK N. TRIBUTARY | | | |
|---|------------------|----------|--------------|
| AREA | TYPE OF CROSSING | ACREAGE | WETLAND NAME |
| D | DETENTION BASIN | 0.96 AC. | 3-FW |
| | | TOTAL | 0.96 AC. |

| WETLAND IMPACT ON ARMY PROPERTY | | | |
|---------------------------------|-----------------------|-----------------------|--------------|
| AREA | TYPE OF CROSSING | ACREAGE | WETLAND NAME |
| J | RAIL CROSSING | 0.41 AC. | A27 |
| K | RAIL CROSSING | 1.86 AC. | A9 |
| L | RAIL CROSSING | 0.41 AC. | A28 |
| M | DETENTION BASIN | 0.15 AC. | A25 |
| N | DETENTION BASIN | 0.02 AC. | A25 |
| O | RAIL CROSSING & BASIN | 3.11 AC. | A10 |
| P | RAIL CROSSING | 0.46 AC. | A12 |
| Q | ROAD CROSSING | 1.04 AC. | A8 |
| R | ROAD CROSSING | 2.43 AC. | A2 |
| | | TOTAL DIRECT IMPACT | 9.89 AC. |
| | | TOTAL INDIRECT IMPACT | 0.77 AC. |

| WETLAND IMPACT ON PEOPLE'S PROPERTY | | | |
|-------------------------------------|------------------|----------|--------------|
| AREA | TYPE OF CROSSING | ACREAGE | WETLAND NAME |
| S | RAIL CROSSING | 0.44 AC. | P3 |
| | | TOTAL | 0.44 AC. |

| REQUIRED MITIGATION | | | |
|-----------------------|--|-----------|-----------|
| FOR DIRECT IMPACTS: | | 42.61 AC. | |
| FOR INDIRECT IMPACTS: | | 1.16 AC. | |
| | | TOTAL | 43.77 AC. |

LEGEND

SITE BOUNDARY

FLOODPLAIN

CREEK CENTERLINE

JURISDICTIONAL WETLANDS

ISOLATED WETLANDS

INDIRECT IMPACTED AREA

DIRECT IMPACTED AREA

PHASE ONE

GRAPHIC SCALE

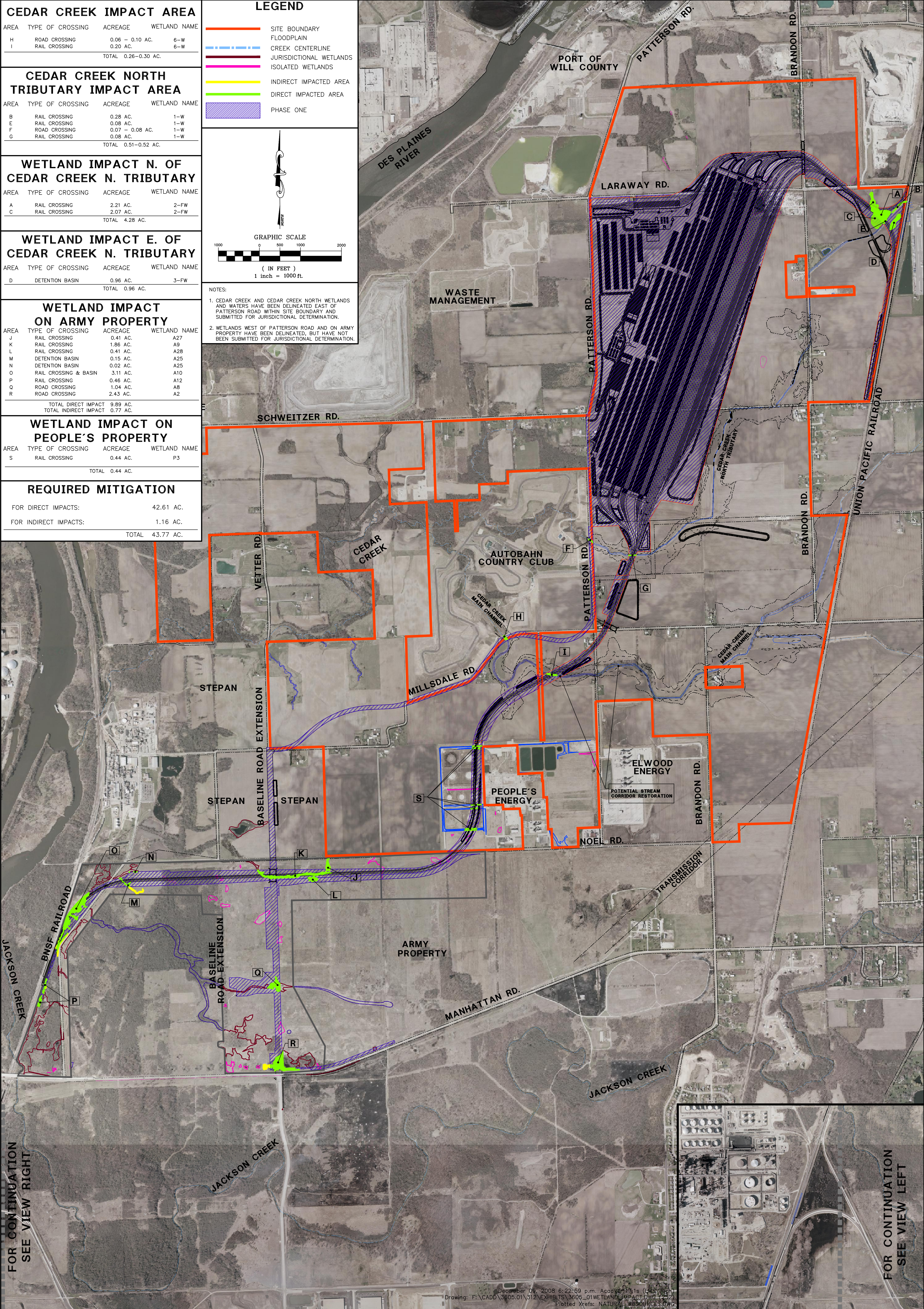
(IN FEET)

1 inch = 1000 ft.

NOTES:

1. CEDAR CREEK AND CEDAR CREEK NORTH WETLANDS AND WATERS HAVE BEEN DELINEATED EAST OF PATTERSON ROAD WITHIN SITE BOUNDARY AND SUBMITTED FOR JURISDICTIONAL DETERMINATION.

2. WETLANDS WEST OF PATTERSON ROAD AND ON ARMY PROPERTY HAVE BEEN DELINEATED, BUT HAVE NOT BEEN SUBMITTED FOR JURISDICTIONAL DETERMINATION.



COWHEY
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ITASCA, ILLINOIS 60143
(630) 250-9595

212 WEST KINZIE
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(312) 755-9595

| REVISIONS | |
|------------------------------------|----------|
| 1. UPDATED WETLAND LOCATIONS | 09/03/08 |
| 2. PER BASELINE ROAD PRELIM | 09/25/08 |
| 3. PER NEW RAIL AND ROAD ALIGNMENT | 11/12/08 |
| | |
| | |

CENTERPOINT PROPERTY

WILL COUNTY, ILLINOIS

PHASE I - WETLAND IMPACT PLAN

PROJECT NO. 3605.01
DATE 06/03/08
SCALE 1"=1000'
DESIGNED BY HLG
DRAWN BY LM
CHECKED BY HLG

SHEET 1 OF 1